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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/090,406	06/04/98	PARK	M 04931.0039

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EXAMINER

PATEL, V

ART UNIT

PAPER NUMBER

2879

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DATE MAILED: 01/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/090,406

Applicant(s)

Park

Examiner

Vip Patel

Group Art Unit

2879



☒ Responsive to communication(s) filed on Jun 14, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-15 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-15 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2879

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Aoki et al (US 5770921).

Regarding claims 1 and 12, Aoki discloses a discharge space structure (see figure 2) of a plasma display panel comprising first (15) and second (11) substrates opposite each other, a barrier layer (a pair of barriers; 17 and part of 18 which is on 17) on the first substrate with raised portion (portion that is near or contacts 14), and plurality of discharge spaces (19). As per claims 2 and 13, the barrier layer (17 and part of 18 which is on 17) includes fluorescent layer (18). As per claim 3, the barrier layer is shaped to prevent discharge between adjacent discharge spaces. As per claim 4, a portion of the fluorescent layer is flat. As per claims 5-8, the portion of the fluorescent layer is has hemispherical, semi-elliptical, and plasma formation shape. As per claim 9, the height of the fluorescent layer decreases toward the center of the discharge spaces. As per claim 11, discharge spaces are spherical.

Art Unit: 2879

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki et al (US 5770921) and common knowledge in the art.

Regarding claims 14-15, the reference cited and discussed regarding the apparatus of claims 1-13 disclose all of the individual elements of the method of claims 14-15. The artisan seeking to implement the apparatus of claims 1-13 would necessarily perform the method of claims 14-15. Thus, it would have been obvious, at the time the invention was made, to a person having ordinary skill in the art to utilize the teaching of the cited reference to result in the method as claimed for the reasons given in regarding claims 1-13.

Other Prior Art Cited

Lee et al, in US 5032768, disclose a gas discharge display device.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vip Patel whose telephone number is (703) 305-4846. The examiner can normally be reached on Monday-Thursday from 6:30 AM- 5:00 PM. The fax phone number for this Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.



**VIP PATEL
PRIMARY EXAMINER
ART UNIT 2879**